

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA ex rel., ALON  
AHARON, ARIE BLITZ, and JASON SPERLING,

Plaintiffs,

v.

NUVANCE HEALTH, NUVANCE HEALTH  
MEDICAL PRACTICE, P.C., HEALTH QUEST  
SYSTEMS, INC., VASSAR BROTHERS  
MEDICAL CENTER, HUDSON VALLEY  
CARDIOVASCULAR PRACTICE, P.C.,  
MUMTAZUDDIN ZUBAIR JAFAR, RAJEEV L.  
NARAYAN, and MARK WARSHOFSKY,

Defendants.

Case No. 7:24-cv-00524-KMK

~~PROPOSED~~ ORDER GRANTING  
DEFENDANTS' REQUEST FOR  
CONFIRMATION

KENNETH M. KARAS, District Judge:

On March 31, 2025, this Court issued an Opinion and Order granting in part and denying in part Defendants' Motion to Dismiss the Amended Complaint (Dkt. No. 73). On April 2, 2025, Defendants filed a letter requesting confirmation of the Opinion and Order that the Court's partial dismissal of the Amended Complaint was with prejudice. Defendants' request for confirmation is **HEREBY GRANTED**.

It is **HEREBY ORDERED**:

1. All claims against Defendants Health Quest Systems, Inc., Nuvance Health Medical Practice, P.C., and Dr. Warshofsky are **DISMISSED WITH PREJUDICE**;
2. Plaintiffs' claims as to the Stark Law are **DISMISSED WITH PREJUDICE** as to all Defendants;
3. Plaintiffs' conspiracy claim under the FCA is **DISMISSED WITH PREJUDICE** as to all Defendants; and
4. Plaintiffs' retaliation claims under the FCA are **DISMISSED WITH PREJUDICE** as to Defendants Hudson Valley Cardiovascular Practice, P.C., Dr. Jafar and Dr. Narayan. Plaintiffs' retaliation claims under the FCA may go forward only as to Defendants Vassar Brothers Medical Center and Nuvance Health.

SO ORDERED.

DATED: 4/3/25

White Plains, New York

A handwritten signature in black ink, appearing to read 'KMK', is written over a horizontal line.

KENNETH M. KARAS  
UNITED STATES DISTRICT JUDGE